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In re Application of :
Peter Pfeuffer :
Application No. 08/900,254 : ON PETITION
Filed: July 25, 1997 :
Attorney Docket No. 22750/350 :

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OFFICE OF PETITIONS

This is a decision on the petition under 37 CFR 1.181 to withdraw the holding of abandonment, filed March 28, 2006.

The petition under 37 CFR 1.181(a) is **DISMISSED AS MOOT**.

A review of the application history reveals that a Decision on Appeal was mailed in the above-cited application on January 25, 2006. It is noted that, pursuant to 37 CFR 1.304, applicants are allowed two-months from the mailing date of the decision on appeal to seek court review of the decision. Notwithstanding, the record further reflects that a Notice of Abandonment was mailed on January 31, 2006, indicating that the application was in an abandoned status for failure to timely seek court review after the dismissal of the appeal. By a communication mailed March 27, 2006, the examiner assigned to the application withdrew the Notice of Abandonment citing that the Notice of Abandonment was mailed prematurely. The instant petition was filed on March 28, 2006.

A review of Office record indicates that the abandoned status of the application has been removed as per the communication mailed March 27, 2006. Accordingly, there is no remedy that can be provided by the instant petition to withdraw the holding of abandonment. The petition is dismissed as moot, accordingly.

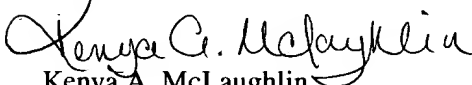
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The application file is being directed to Technology Center 1700, GAU 1733, for further processing.

Questions concerning this decision may be directed to the undersigned at (571) 272-3222.


Kenya A. McLaughlin
Petitions Attorney
Office of Petitions